

City Hall, Lodi, Cal, April 17, 1919.

In the matter of the improvement of Lee Avenue the following resolution was introduced by Trustee Montgomery:

RESOLUTION ORDERING THE WORK.

RESOLVED, THAT WHEREAS THE BOARD OF TRUSTEES OF THE CITY OF LODI, did on the 24th day of March, A.D. 1919, pass its Resolution of Intention No. 18 to order the hereinafter described work to be done and improvement to be made in said city, which Resolution of Intention was duly and legally published as required by law, as appears from the affidavit of publication in THE LODI SENTINEL made by C.E. PERCIVAL, now on file in the office of the City Clerk of said City of Lodi; and whereas, notices of the passage of said Resolution of Intention No. 18 headed "NOTICE OF IMPROVEMENT" were duly and legally posted along the line of said contemplated work and improvement and in front of all the property liable to be assessed therefor, and on each and every street and highway in the assessment district described in said resolu-

tion of intention, in time, form, manner and number as required by law, after the passage of said Resolution of Intention, as appears from the affidavit of H. B. COLEMAN, who personally posted the same, and who, upon the completion of the posting of said notices, filed said affidavit in the office of said City Clerk, making oath that he completed the posting of said notices on the 29th day of March, A. D. 1919; and whereas, no protests or objections in writing or otherwise to the proposed work, or against the extent of the proposed district, have been delivered to, or presented to, or filed with the Clerk of this Board of Trustees of said City of Lodi, up to the hour set for hearing protests as set forth in said Resolution of Intention, and this Board of Trustees having now acquired jurisdiction to order the proposed improvement, it is hereby

RESOLVED, that the public interest and convenience require the work herein described and the Board of Trustees of the City of Lodi hereby order the following work to be done and improvement to be made in said City, to-wit:

That Lee Avenue, in said City, from the South line of Locust Street to the North line of Elm Street, and from the South line of Elm Street to the North line of Pine Street, and from the South line of Pine Street to the North line of Oak Street, and from the South line of Oak Street to the North line of Lodi Avenue,

BE IMPROVED:

- (1) By grading the roadway and curb spaces of said Lee Avenue.
- (2) By constructing hydraulic concrete curbs and gutters of the combined type along each side of the roadway of said Lee Avenue.
- (3) By paving the roadway of said Lee Avenue between the gutter lines, with a pavement consisting of one and one-half (1½) inches of Warrenite Wearing Surface, laid on an as-

phalitic concrete base two and one-half (2½) inches in thickness.

- (4) By constructing sidewalk approaches to the North and South curbs on the intersection of said Lee Avenue, with Walnut Street.

And that the alley running East and West through the Block bounded by West Elm Street, Lee Avenue, West Pine Street and Hutchins Street, in said City, be improved by grading the full width of said alley from the West line of Lee Avenue to the East line of Hutchins Street, and by paving said alley for its full width with a pavement consisting of one and one-half (1½) inches of Warrenite Wearing Surface, laid on an asphaltic concrete base two and one-half (2½) inches in thickness.

Excepting, however, from all of the hereinabove described work, such portion as is required by law to be kept in order or repair by any person or company having railroad tracks thereon; and excepting also from all of the hereinabove described work any of said work already done to the official grade.

All of said work shall be done in accordance with the plans and specifications heretofore adopted for doing said work and now on file in the office of the City Clerk, and where certain work proposed to be done on the respective streets, avenues and highways aforementioned is described as being between certain lines, it includes the doing of all such work upon the street intersections and terminations between such lines, unless otherwise shown on the plans; providing, however, that any duplication in such description shall be ignored.

Attention is also called to the Warrenite License Mixture Agreement for California, executed by Warren Brothers Company, the owner and holder of the patents and processes covering the said Warrenite pavement, which agreement is on file in the office of the City Clerk, and is hereby expressly referred to for greater certainty.

And, whereas, said contemplated work and improvement, in the opinion of the Board of Trustees, is of more than local or ordinary public benefit, said Board hereby makes the expense of said work or improvement chargeable upon a district, which district said Board hereby declares to be the district benefited by said work and improvement, and to be assessed to pay the cost and expenses thereof; which said district is bounded and described as follows:

Commencing at a point on the South line of West Locust Street, in said City of Lodi, distant thirty-five (35) feet West of the Northeast corner of Lot Eighteen (18), Block One (1), West Lodi Addition, as per Supplement to plat of West Lodi filed for record in Book of Maps, Vol. 3, at page 36, in the office of the County Recorder of the County of San Joaquin, State of California, and running thence Easterly on and along said South line of West Locust Street, 350 feet to a point on said South line of West Locust Street; thence Southerly and parallel to the East line of Lee Avenue, to a point on the North line of the alley running East and West between Pine and Oak Streets; thence Easterly on and along said North line of said alley, five (5) feet to a point; thence Southerly and parallel to the East line of said Lee Avenue, to a point on the North line of Lodi Avenue; thence Westerly on and along said North line of Lodi Avenue to its intersection with a line parallel to and 155 feet west of the west line of said Lee Avenue; thence Northerly and parallel to the West line of said Lee Avenue, to a point on the North line of the alley running East and West between Pine and Oak Streets; thence Westerly on and along said North line of said alley, five feet; thence Northerly and parallel to the West line of said Lee Avenue to a point eighty-five (85) feet North of the North line of Pine Street; thence Westerly and parallel to the North line of Pine Street to a point on the East line of Hutchins Street; thence Northerly on and along said East line of said Hutchins Street to its intersection, with a line parallel to and eighty-five (85) feet South of the South line of Elm Street; thence Easterly and parallel to the said South line of Elm Street to a point 155 feet West of the West line of said Lee Avenue; thence Northerly and parallel to said West line of Lee Avenue to the South line of Locust Street, being the point of beginning;

Provided, nevertheless, that the streets, avenues and alleys situate within said district shall be omitted from any assessment made or levied for paying the costs and expenses of the above mentioned work and improvement, the said streets, avenues and alleys belonging to said city, and being in use for the performance of a public function, to-wit, in use as public streets, avenues and alleys.

And it is further ordered and notice is hereby given that serial bonds to represent unpaid assessments, and bear interest at the rate of seven per cent (7%) per annum, will be issued hereunder in the manner provided by the Improvement Bond Act of 1915, and Acts amendatory thereof, the last installment of which bonds shall mature nine years from the 2nd day of July, next succeeding nine months from their date.

The City Clerk is hereby directed to post a notice of said work, together with the plans and specifications therefor, conspicuously for five days on or near the Council Chamber door, inviting sealed proposals or bids for doing the work ordered. He is also directed to publish three times a notice inviting such proposals, and referring to the plans and specifications posted or on file, in THE LODI SENTINEL, a tri-weekly newspaper published and circulated in said City of Lodi, and hereby designated for that purpose, said paper being the official newspaper of the said City of Lodi.

Upon motion of Trustee Montgomery, seconded by Trustee Morehead, the foregoing Resolution Ordering the Work was adopted by the following vote:

Ayes: Trustees Montgomery, Morehead, Crose, Hale and Black.
Noes: None.
Absent: None.